

Order

Michigan Supreme Court
Lansing, Michigan

March 21, 2012

Robert P. Young, Jr.,
Chief Justice

144191 (11)

Michael F. Cavanagh
Marilyn Kelly
Stephen J. Markman
Diane M. Hathaway
Mary Beth Kelly
Brian K. Zahra,
Justices

FRANK J. LAWRENCE, JR.,
Plaintiff,

v

SC: 144191

BOARD OF LAW EXAMINERS,
Defendant.

On order of the Court, the motion for full-Court review of the motion to disqualify Justice MARKMAN is considered, and it is GRANTED. Upon full-Court consideration of the plaintiff's motion, we DENY the motion for the reason that no justice is persuaded that there is any ground for the disqualification of Justice MARKMAN.

YOUNG, C.J. (*not participating*).

I do not participate in the order or the full Court's decision on the motion for disqualification of another justice, pursuant to MCR 2.003(D)(3)(b), for the reasons stated in my November 25, 2009, dissent from the rule's promulgation¹ and in my March 31, 2010, statement of nonparticipation in a similar motion in *Pellegrino v Ampco Systems Parking*.² I believe that rule to have serious constitutional flaws.

ZAHRA, J., not participating for the reasons set forth in his previous statement in this case, 490 Mich 935 (2011).

¹ See 485 Mich cxxx, clxvii-clxxxv (YOUNG, J., dissenting).

² 485 Mich 1134, 1155-1165 (2010) (YOUNG, J., not participating).



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I, Corbin R. Davis, Clerk of the Michigan Supreme Court, certify that the foregoing is a true and complete copy of the order entered at the direction of the Court.

March 21, 2012

Corbin R. Davis

Clerk